

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71579 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- UCHKAGAON District- Gopalganj

Deepak Singh Son of Ram Naresh Singh Resident of Vilalge- Jamsar, P.S.-
Uchkagaon, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Uchkagaon P.S. Case No. 210 of 2024 instituted for the
offences under Sections 30(a)(b) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. As per prosecution case, the police has recovered
total 20.800 liter illicit country-made liquor from beneath the
soil of the room of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner and the police has arrested the petitioner due to his criminal antecedent. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has six criminal antecedents and is languishing in judicial custody since 08.07.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Uchkagaon P.S. Case No. 210 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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